

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,  Plaintiff-Applicant,  v.  BERNARD L. MADOFF INVESTMENT SECURITIES LLC,  Defendant.	Adv. Pro. No. 08-01789 (CGM)  SIPA Liquidation  (Substantively Consolidated)
In re:  BERNARD L. MADOFF,  Debtor.	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff,  Plaintiff,  v.  SNS BANK N.V. and SNS GLOBAL CUSTODY B.V.,  Defendants.	Adv. Pro. No. 12-01046 (CGM)

**DECLARATION OF GEORGE W. SHUSTER, JR. IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS**

Pursuant to 28 U.S.C. 1746, George W. Shuster, Jr., under penalty of perjury, declares the following to be true and correct:

I am a Partner with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, attorneys for Defendants SNS Bank N.V. and SNS Global Custody B.V. ("Defendants") in the above-

referenced action. I submit this Declaration and the materials annexed hereto in support of the Defendants' Motion to Dismiss the Complaint (the "Motion") in its entirety and with prejudice.<sup>1</sup>

1. Attached hereto as **Exhibit A** is a true and correct copy of the Complaint and accompanying exhibits, filed in the above-referenced action on February 9, 2012. *See* Dkt. 1.

2. Attached hereto as **Exhibit B** is a true and correct copy of an Information Detail page from De Nederlandsche Bank, the Dutch central bank and financial sector supervisor, reflecting that de SNS Bank N.V. (n/k/a de Volksbank N.V.) was authorized since at least December 31, 1990 to "[c]arry[] on the business of a bank," and continued to be authorized do so as of at least October 11, 2022, i.e., at all times relevant to the Motion.<sup>2</sup>

Dated: October 14, 2022  
New York, New York

Respectfully Submitted,

WILMER CUTLER PICKERING HALE AND  
DORR LLP

By: /s/ George W. Shuster, Jr.  
George W. Shuster, Jr.  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007  
Telephone: 212-230-8800  
Facsimile: 212 230-8888  
Email: george.shuster@wilmerhale.com

*Counsel for Defendants SNS Bank N.V. and SNS  
Global Custody B.V.*

---

<sup>1</sup> SNS Bank N.V. has been renamed de Volksbank N.V. since January 1, 2017, but all matters relevant to Defendants' Motion to Dismiss relate to the time period before such date.

<sup>2</sup> The Information Detail page for de Volksbank was obtained by me at <https://www.dnb.nl/en/public-register/information-detail/?registerCode=WFTKF&relationNumber=B0578>.